

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article fell below that which it was represented to possess, namely, an amount of natural estrogenic substances equivalent to 50,000 International Units of estrone activity per cubic centimeter.

Misbranding, Section 502 (a), the label statement "1 cc - 50,000 I. U. Natural estrogenic substances consisting predominantly of estrone" was false and misleading as applied to the article, which contained an amount of natural estrogenic substances equivalent to not more than 37,500 International Units of estrone activity per cubic centimeter.

**DISPOSITION:** May 18, 1949. Default decree of condemnation and destruction.

**2841. Adulteration and misbranding of theobromine, calcium lactate, nitroglycerin tablets. U. S. v. 1 Drum \* \* \*. (F. D. C. No. 27153. Sample No. 56192-K.)**

**LIBEL FILED:** On or about April 27, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** On or about November 19, 1946, from New Brunswick, N. J.

**PRODUCT:** 1 drum containing approximately 18,500 *theobromine, calcium lactate, nitroglycerin tablets* at New York, N. Y. Analysis of the product failed to reveal the presence of nitroglycerin.

**LABEL, IN PART:** (Drum) "Theobromine, Calcium Lactate, Nitroglycerin Tablets."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, "0.0002 gms. Nitroglycerin."

Misbranding, Section 502 (a), the label statement "0.0002 gms. Nitroglycerin" was false and misleading. The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 18, 1949. Default decree of condemnation and destruction.

## **DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS\***

**2842. Misbranding of Tri-Estrin Tablets. U. S. v. Endocrine Co. and Herbert G. Brower. Pleas of nolo contendere. Fine of \$200 against company and \$1 against individual. (F. D. C. No. 24275. Sample No. 74627-H.)**

**INFORMATION FILED:** July 12, 1948, District of New Jersey, against the Endocrine Co., a corporation, Union City, N. J., and Herbert G. Brower, president and treasurer of the corporation.

**ALLEGED SHIPMENT:** On or about February 4, 1947, from the State of New Jersey into the State of Massachusetts.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "Estrogenic substance derived from gravid mare's urine, containing principally estrone and estradiol" was false and misleading. The statement represented and suggested that the estrogenic material present in the article consisted of estrogenic substance as it naturally occurs in, and is extracted from, gravid mare's urine, whereas the estrogenic material present in the article did not

\*See also Nos. 2833, 2834, 2840, 2841.

consist of estrogenic substance as it naturally occurs in, and is extracted from, gravid mare's urine.

**DISPOSITION:** July 18, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$200 against the corporation and a fine of \$1 against the individual.

**2843. Misbranding of Boil-Tea Nettle Leaf, Alpha Tablets, Min-So Tablets, D. I. M. Tablets, Calci-Co Tablets, and Yugetun.** U. S. v. Lilly Deschauer (National Herb Co.), and Ethel C. Grover. Pleas of guilty. Fine of \$200 and costs against defendant Deschauer; imposition of sentence suspended against defendant Grover, who was placed on probation for 1 year. (F. D. C. No. 24277. Sample Nos. 15506-K to 15511-K, incl.)

**INFORMATION FILED:** September 29, 1948, Northern District of Illinois, against Lilly Deschauer, trading as the National Herb Co., Maywood, Ill., and Ethel C. Grover, manager of the business.

**ALLEGED SHIPMENT:** On or about September 26, 1947, from the State of Illinois into the State of Michigan.

**PRODUCT:** Analyses disclosed that the *Boil-Tea Nettle Leaf* consisted of dry, green leaf and stem fragments, containing, per gram, 1.14 mg. of iron and 29 mg. of calcium; that the *Alpha Tablets* consisted essentially of plant material, containing, per tablet, 1.1 mg. of iron and 1.7 mg. of calcium; that the *Min-So Tablets* contained, per 16 tablets, 7.3 mg. of iodine, 53 mg. of iron, and 545 mg. of calcium; that the *D. I. M. Tablets* contained, per 16 tablets, 3.6 mg. of iodine, 11.2 mg. of iron, 291 mg. of calcium, and 323 mg. of phosphorus and unidentified vegetable material, and combined sodium and magnesium; that the *Calci-Co Tablets* contained, per 16 tablets, 7.8 mg. of iodine, 6.1 mg. of iron, 475 mg. of calcium, and 384 mg. of phosphorus, together with combined sodium, potassium, magnesium, and chlorine; and that the *Yugetun* consisted of an aqueous solution of ammonium alum and plant material, sediment consisting chiefly of plant material, and a calcium content of 9.4 mg. per 100 cc.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the labeling, namely, in a booklet entitled "National Rainbow Booklet," which accompanied the articles, were false and misleading. These statements represented and suggested:

That the *Boil-Tea Nettle Leaf* would be efficacious in the treatment of boils and in the prevention of local infections, and that the *Alpha Tablets* would be efficacious in the treatment of obesity, whereas the articles would not be efficacious for such purposes;

That the *Min-So Tablets* would be efficacious in the cure, mitigation, and treatment of hardening of the arteries, arthritis, rheumatism, stiff joints, neuritis, acidosis, and kidney and bladder stones; that the article would be efficacious in the treatment and prevention of apoplexy and high blood pressure; that aging could be retarded by use of the article; and that when used in conjunction with vitamin C and another product known as "Yugetun," it would be efficacious in the treatment of varicose veins. The article would not be efficacious for the purposes represented; aging could not be retarded by its use; and when used in conjunction with vitamin C and *Yugetun*, it would not be efficacious in the treatment of varicose veins;

That the *D. I. M. Tablets* contained 273.74 calories per gram; that the article would be efficacious in the cure, mitigation, and treatment of diabetes; that